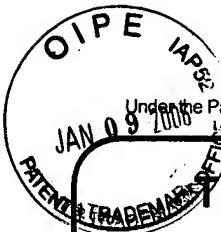


Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| | | | |
|--|----------------------|------------------------|--------------|
| | Application Number | 10/516,599 | |
| | Filing Date | June 24, 2005 | |
| | First Named Inventor | David Strand | |
| | Group Art Unit | 1724 | |
| | Examiner Name | Savage, Matthew O. | |
| Total Number of Pages in This Submission | 20 | Attorney Docket Number | 005092-00069 |

ENCLOSURES (check all that apply)

| | | |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers (for an Application) | <input type="checkbox"/> After Allowance Communication to Group |
| <input type="checkbox"/> Fee Attached – Charge Deposit Account 19-0733 for \$65.00 | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment / Response | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Preliminary Amendment and Priority Claim Amendment – Resubmittal– |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | | Remarks |
| <input type="checkbox"/> Notification of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US) | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|---|
| Firm or Individual name | Peter D. McDermott, Banner & Witcoff, Registration No. 29,411 |
| Signature | |
| Date | 5 January 2006 |

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being sent via first class mail to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

| | |
|-----------------------|------------------|
| Typed or printed name | Michelle DeFazio |
| Signature | |
| Date | 5 January 2006 |



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David Strand **Paper No/Mail Date:**
U.S. Serial No.: 10/516,599 **Group Art Unit:** 1724
Filed: June 24, 2005 **Examiner:** Savage, Matthew O.
Title: Method and Device for Ultrasonically Manipulating Particles Within a Fluid

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT AND PRIORITY CLAIM AMENDMENT
-RESUBMITTAL-

This Preliminary Amendment is resubmitted in response to the Office Action mailed on December 19, 2005.

Amendments to Specification begin on page 2.

Amendments to the Abstract begin on page 3.

A complete listing of claims, showing any current amendments to the claims, begins on page 4.

Remarks begin on page 19.

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